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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELIEZER Z. WIGDER,

                                        Plaintiff,

              -against-

PETER B. ALLEN,

                                        Defendants.

24-CV-5957 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

Defendant removed the instant action to this Court from the Supreme Court of the State of New York, County of Rockland on or about August 6, 2024. (ECF No. 1.) Defendant filed a Verified Answer, dated June 6, 2024 (ECF No. 1, Ex. B), to Plaintiff's Complaint, dated May 20, 2024 (ECF No. 1, Ex. A). Thus, the Court waives the Initial Pre-Trial Conference requirement and directs the parties to submit a proposed Case Management Plan and Scheduling Order (blank form attached hereto) by August 30, 2024. After review and approval of the Scheduling Order, the Court will issue an Order of Reference to Magistrate Judge Judith C. McCarthy for general pretrial purposes. The parties are directed to contact Judge McCarthy within seven (7) business days of the date of the Order of Reference to schedule a conference.

Defendant is directed to mail a copy of this Order to Plaintiff's counsel and to file proof of service on the docket. Plaintiff's counsel is directed to file a notice of appearance on or before August 16, 2024.

                                        SO ORDERED.

Dated: August 9, 2024
            White Plains, New York

                                        _____
                                        NELSON S. ROMÁN
                                        United States District Judge

UNITED STATES DISTRICT COURT   Rev. May 2014
SOUTHERN DISTRICT OF NEW YORK
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                                                          CIVIL CASE DISCOVERY PLAN
                                    Plaintiff(s),   **AND SCHEDULING ORDER**
              - against -

                                    Defendant(s).   _____ CV _____ (NSR)

---x

        This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with
counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

   1.   All parties [consent] [do not consent] to conducting all further proceedings before
          a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
          The parties are free to withhold consent without adverse substantive consequences.
          (If all parties consent, the remaining paragraphs of this form need not be
          completed.)

   2.   This case [is] [is not] to be tried to a jury.

   3.   Joinder of additional parties must be accomplished by _____.

   4.   Amended pleadings may be filed until _____. Any party
          seeking to amend its pleadings after that date must seek leave of court via motion.

   5.   Interrogatories shall be served no later than _____, and responses
          thereto shall be served within thirty (30) days thereafter. The provisions of Local
          Civil Rule 33.3 [shall] [shall not] apply to this case.

   6.   First request for production of documents, if any, shall be served no later than
          _____.

   7.   Non-expert depositions shall be completed by _____.

          a.   Unless counsel agree otherwise or the Court so orders, depositions shall not
                 be held until all parties have responded to any first requests for production
                 of documents.

          b.   Depositions shall proceed concurrently.

          c.   Whenever possible, unless counsel agree otherwise or the Court so orders,

non-party depositions shall follow party depositions.

8.   Any further interrogatories, including expert interrogatories, shall be served no later than _____.

9.   Requests to Admit, if any, shall be served no later than _____.

10.   Expert reports shall be served no later than _____.

11.   Rebuttal expert reports shall be served no later than _____.

12.   Expert depositions shall be completed by _____.

13.   Additional provisions agreed upon by counsel are attached hereto and made a part hereof.

14.   **ALL DISCOVERY SHALL BE COMPLETED BY** _____.

15.   Any motions shall be filed in accordance with the Court's Individual Practices.

16.   This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).

17.   The Magistrate Judge assigned to this case is the Hon. _____.

18.   If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

19.   The next case management conference is scheduled for _____, at _____. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated:

White Plains, New York

_____

Nelson S. Román, U.S. District Judge